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June 24, 2013

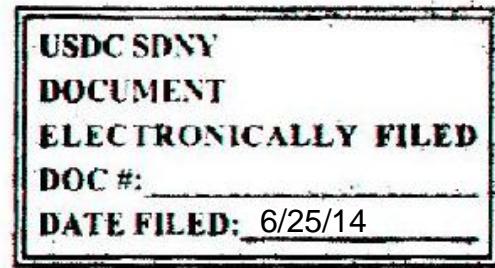
Hon. Lorna G. Schofield  
U.S. District Judge, SDNY  
New York, New York 10007

**Kriss v. Bayrock, 10-cv-3959**  
**Kriss v. Bayrock, 13-cv-3905**

Dear Judge Schofield:

Re: Proposed Expedited Scheduling of Reply Papers

**10-cv-3959 (“Kriss I”)**



Pursuant to your honor's order ECF 79 of June 16, 2014, last night, June 23, 2014, the Bayrock defendants served and filed, ECF 76, a response in opposition to our June 12, 2014 Rule 72 motion for emergency relief from non-dispositive magistrate's order, ECF 73.

In keeping with the expedited nature of our request, yet recognizing the gravity of the issue of a magistrate's claim of "inherent power" to grant a motion expressly seeking injunctive relief *qua* prior restraint, *a fortiori sin litem*, we will, unless the court objects, file a reply within 3 days, by June 27, 2014.

(In the event the court prohibits reply – though we respectfully submit reply is as of absolute right pursuant to Federal and Local rules – then pursuant to your Individual Rule III(B)(6) we now request expedited oral argument.)

**13-cv-3905 (“Kriss II”)**

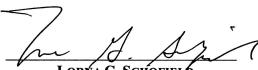
By ECF 80, Defendant Sater responded in opposition as well (our motion for relief is cross-docketed here as ECF 77). We will include reply on June 27, 2014. For the record, and to avoid confusion and risk of inadvertent default, we presume Mr. Sater asks no relief other than by opposition to our request, clarifying that as he has *sub judice* a somewhat related request for procedural relief before Judge Maas relating to service we plan not to respond to that request, if at all extant, before your honor but will deal with it below with the magistrate pursuant to your reference of May 23, 2014, ECF 68.

/s/ Frederick M. Oberlander  
Counsel for Plaintiffs

/s/ Richard E. Lerner  
Co-counsel

Plaintiffs may file one reply in support of its motion in both actions, not to exceed five pages double-spaced, with 12-point font and at least one-inch margins. Any reply shall be filed no later than June 27, 2014.

Dated: June 25, 2014  
New York, New York

  
LORNA G. SCHOFIELD  
UNITED STATES DISTRICT JUDGE